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9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
11 SAN FRANCISCO DIVISION
12

13 UNITED STATES OF AMERICA,) NO. CR 19-139 WHA
)
14 Plaintiff,) [PROPOSED] ORDER DETAINING
) DEFENDANT LAMAR DEWAYNE
15 v.) JOHNSON PRIOR TO TRIAL
)
16 LAMAR DEWAYNE JOHNSON,)
)
17 Defendant.)
)
18)

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20 On March 21, 2019, the government filed an Indictment charging the defendant with Conspiracy
21 to Commit Robbery Affecting Interstate Commerce and Robbery Affecting Interstate Commerce, in
22 violation of 18 U.S.C. § 1951(a).

23 The matter came before the Court for a detention hearing on May 28, 2019. The defendant was
24 present and represented by his attorney, Michael Stepanian. Assistant United States Attorney Casey
25 Boome appeared for the government. At the hearing, counsel submitted proffers and arguments
26 regarding detention.

27 Upon consideration of the facts, proffers and arguments presented, and for the reasons stated on
28 the record, the Court finds by a preponderance of the evidence that, without a viable surety, no condition

1 or combination of conditions will reasonably assure the appearance of the defendant as required. The
2 Court also finds by clear and convincing evidence that, without a viable surety, no condition or
3 combination of conditions will reasonably assure the safety of any other person or the community.
4 Accordingly, the defendant must be detained pending trial in this matter.

5 The present order supplements the Court's findings and order at the detention hearing and serves
6 as written findings of fact and a statement of reasons as required by 18 U.S.C. § 3142(i)(1). As noted on
7 the record, the Court makes the following findings as the bases for its conclusion: the defendant
8 attempted to flee from the law enforcement officers who placed him under arrest; the defendant was
9 aware of the charges pending against him and failed to surrender himself; there is an outstanding felony
10 bench warrant (Alameda County) for the defendant's arrest; the defendant has a history of committing
11 new crimes while under community supervision. These findings are made without prejudice to the
12 defendant's right to seek review of defendant's detention, or file a motion for reconsideration if
13 circumstances warrant it. The Court may be willing to reconsider its detention order if the defendant can
14 identify a viable surety.

15 Pursuant to 18 U.S.C. § 3142(i), IT IS ORDERED THAT:

- 16 1. The defendant be, and hereby is, committed to the custody of the Attorney General for
17 confinement in a corrections facility separate, to the extent practicable, from persons
18 awaiting or serving sentences or being held in custody pending appeal;
- 19 2. The defendant be afforded reasonable opportunity for private consultation with counsel;
20 and

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